

SEC. 13. That if any person or persons shall intrude upon the said road by any manner of use thereof, without the permission, or contrary to the will of said company, he, she or they so offending may be indicted for a misdemeanor, and upon conviction thereof, fined and imprisoned by any court of competent jurisdiction.

SEC. 14. That if any person shall wilfully destroy or <sup>Injury to rail-
way.</sup> in any manner hurt, damage or obstruct, or shall wilfully cause, or aid, or assist, or counsel and advise any other person or persons to destroy or in any way to hurt or damage or to obstruct or injure said railway, its track, engines, cars or fixtures, or any bridge, car, engine or vehicle used for or in transportation thereon, or any water tank, warehouse or other property of said company, such person or persons so offending shall be liable to indictment therefor; and on conviction shall be im- ^{Penalty.}prisoned for not more than twelve months nor less than one month, and shall pay a fine of not less than twenty, nor more than five hundred dollars, at the discretion of the court before which such conviction shall take place, and shall be further liable to pay all damage done and all expenses of repairing the same.

SEC. 15. Said company may purchase the Wilmington, <sup>May purchase W⁴
C. & R. R. R.</sup> Charlotte and Rutherford Railroad, at any sale thereof, which may be made under the judgment of the Superior Court of New Hanover county in the action now pending in said court for foreclosure of the mortgage on the franchise and property of said railroad company, in which action the State has made itself a party defendant as provided by acts of Assembly, or at any other sale that may be made thereof, and may thenceforth have, hold, possess and be entitled to the said railroad extending from Wilmington to Rutherfordton, about two hundred and fifty miles, and all its contracts, franchises, rights, privileges and immunities, and all the estate and property of every description, real and personal, belonging to the said Wilmington, Charlotte and Rutherford Railroad